

Pro Sc 14 (Rev. 09/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

2021 JUL 26 P 12:12

U.S. DISTRICT COURT
N.D. OF ALABAMAJEREMY SCOTT MITCHEM

Plaintiff

(Write your full name. No more than one plaintiff may be named in a complaint.)

-v-

Case No.

5:21-CV-1026-CLM-SGC
(to be filled in by the Clerk's Office)SEE ATTACHED PAGE 1

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all of the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here. Your complaint may be brought in this court only if one or more of the named defendants is located within this district.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee of \$400.00 or an Application to Proceed *In Forma Pauperis*.

Mail the original complaint and the filing fee of \$400.00 or an Application to Proceed *In Forma Pauperis* to the Clerk of the United States District Court for the Northern District of Alabama, Room 140, Hugo L. Black U.S. Courthouse, 1729 5th Avenue North, Birmingham, Alabama 35203-2195.

I. The Parties to this Complaint**A. The Plaintiff**

Provide the information below for the plaintiff named in the complaint.

Name	JEREMY SCOTT MITCHEM		
All other names by which you have been known:			
ID Number	MCSO # MNI # 26636		
Current Institution	MADISON COUNTY JAIL		
Address	P.O. BOX 2047		
	HUNTSVILLE City	AL State	35804 Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	BLAKE DEAN		
Job or Title (<i>if known</i>)	AGENT		
Shield Number			
Employer	MADISON COUNTY SHERIFFS DEPARTMENT		
Address			
	HUNTSVILLE City	AL State	35801 Zip Code
<input checked="" type="checkbox"/> Individual Capacity <input type="checkbox"/> Official Capacity			

Defendant No. 2

Name	JAMES ANDREWS		
Job or Title (<i>if known</i>)	POLICE OFFICER		
Shield Number	15121		
Employer	HUNTSVILLE CITY POLICE DEPARTMENT		
Address	P.O. BOX 2085		
	HUNTSVILLE City	AL State	35804 Zip Code
<input checked="" type="checkbox"/> Individual Capacity <input type="checkbox"/> Official Capacity			

Defendant No. 3

Name	JOHN DOE # 1		
Job or Title (<i>if known</i>)	POLICE OFFICER		
Shield Number			
Employer	HUNTSVILLE POLICE DEPARTMENT		
Address	P.O. BOX 2085		
	HUNTSVILLE	AL	35804
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input checked="" type="checkbox"/> Individual Capacity	<input type="checkbox"/> Official Capacity		

Defendant No. 4

Name	JOHN DOE # 2		
Job or Title (<i>if known</i>)	POLICE OFFICER		
Shield Number			
Employer	HUNTSVILLE POLICE DEPARTMENT		
Address	P.O. BOX 2085		
	HUNTSVILLE	AL	35804
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
<input checked="" type="checkbox"/> Individual Capacity	<input type="checkbox"/> Official Capacity		

* SEE ATTACHED PAGES 2 - 3

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal law]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- Federal officials (a *Bivens* claim)
- State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities, secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

SEE ATTACHED PAGES 4

C. Plaintiffs suing under *Bivens* may only recover for violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

SEE ATTACHED PAGES 5

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- Pretrial Detainee
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner
- Other
(explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

SEE ATTACHED PAGE 6

B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

C. What date and approximate time did the events giving rise to your claim(s) occur?

SEE ATTACHED PAGE 7

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

SEE ATTACHED PAGES 8 - 9

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries in detail.

SEE ATTACHED PAGE 10

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

REQUEST TO AMEND NAMES OF THE JOHN DOE DEFENDANTS
AND OFFICER GLASER UPON DISCOVERY.

REQUEST FOR APPOINTMENT OF COUNSEL TO FURTHER PROTECT
MY RIGHTS OF SELF INCRIMINATION.

REQUEST FOR T.R.O. AND PRELIMINARY INJUNCTION AND
AN IMMEDIATE HEARING ON THE FACTS PRESENTED ON THE
T.R.O.

* SEE ATTACHED PAGES 11 - 12

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1982 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes
 No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

Yes
 No
 Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

Yes
 No
 Do not know

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

Yes

No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes

No

E. If you did file a grievance:

1. Where did you file the grievance?

2. What did you claim in your grievance?

3. What was the result, if any?

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (*Describe all efforts to appeal to the highest level of the grievance process.*)

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had any cases dismissed based on grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted?

Yes
 No

If yes, state which court dismissed your case(s), when this occurred, and attach a copy of the order(s) if possible.

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes

No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (*If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.*)

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court (*if federal court, name the district; if state court, name the county and State*)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

Yes

No

If no, give the approximate date of disposition. _____

7. What was the result of the case? (*For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?*)

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Printed Name of Plaintiff	<u>JEREMY SCOTT MITCHEM</u>		
Prison Identification #	<u>MC50 00MNI 026636</u>		
Prison Address	<u>P. O. BOX 2047</u>		
<u>HUNTSVILLE</u>	<u>AL</u>	<u>35804</u>	
City	State	Zip Code	

Date of signing: 06 - 09 - 2021

Original
Signature of Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06 - 09 - 2021
(Date)

Original
Signature of Plaintiff

D. Caskey
My Commission Exp 6-9-24

JEREMY SCOTT MITCHEM

PLAINTIFF

- v -

BLAKE DEAN

JAMES ANDREWS

JOHN DOE # 1

JOHN DOE # 2

JOHN DOE # 3

JOHN DOE # 4

OFFICER GLASER

II. BASIS FOR JURISDICTION

B.

- 1). FOURTH AMENDMENT RIGHT TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECTS AGAINST UNREASONABLE SEARCHES AND SEIZURES,
- 2). FOURTH AMENDMENT RIGHT TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECTS AGAINST UNREASONABLE SEARCHES AND SEIZURES. FIFTH AND FOURTEENTH AMENDMENT DUE PROCESS VIOLATIONS.
- 3). FOURTH AMENDMENT RIGHT TO BE SECURE IN THEIR PERSONS, HOUSES, PAPERS, AND EFFECTS AGAINST UNREASONABLE SEARCHES AND SEIZURES. FIFTH AND FOURTEENTH AMENDMENT DUE PROCESS VIOLATIONS.
- 4). FIFTH, SIXTH, AND FOURTEENTH AMENDMENT DUE PROCESS AND ASSISTANCE OF COUNSEL VIOLATIONS.

II. BASIS FOR JURISDICTION

D. 1). AGENT DEAN ACTED IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF MADISON COUNTY SHERIFFS DEPARTMENT.

2). JAMES ANDREWS ACTED UNDER COLOR OF STATE LAW IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF HUNTSVILLE POLICE DEPARTMENT.

3). JOHN DOE #1 ACTED UNDER COLOR OF STATE LAW IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF HUNTSVILLE POLICE DEPARTMENT.

4). JOHN DOE #2 ACTED UNDER COLOR OF STATE LAW IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF HUNTSVILLE POLICE DEPARTMENT.

5). JOHN DOE #3 ACTED UNDER COLOR OF STATE LAW IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF HUNTSVILLE POLICE DEPARTMENT.

6). JOHN DOE #4 ACTED IN HARMONY CONSPIRING WITH ALL OTHER LISTED DEFENDANTS THEREFORE ACTED IN HIS OFFICIAL CAPACITY WITH THE STATE.

7). OFFICER GLASER ACTED UNDER COLOR OF STATE LAW IN HIS OFFICIAL CAPACITY AS AN EMPLOYEE OF HUNTSVILLE POLICE DEPARTMENT.

IV. STATEMENT OF CLAIM

A. 1). INSIDE WALMART SUPERCENTER LOCATED AT 6140 UNIVERSITY DR. NW, HUNTSVILLE, AL 35806

2). INSIDE WALMART SUPERCENTER LOCATED AT 6140 UNIVERSITY DR. NW, HUNTSVILLE, AL 35806.

3). IN THE PARKING LOT OF WALMART SUPERCENTER LOCATED AT 6140 UNIVERSITY DR. NW, HUNTSVILLE, AL 35806

4). WHILE I WAS IN THE BACK UP A POLICE CAR IN THE PARKING LOT OF WALMART SUPERCENTER LOCATED AT 6140 UNIVERSITY DR. NW, HUNTSVILLE, AL 35806

IV. STATEMENT OF CLAIM

C. 1). DECEMBER 05, 2017 AT APPROXIMATELY 1:30 A.M.

2). DECEMBER 05, 2017 AT APPROXIMATELY 1:45 A.M.

3). DECEMBER 05, 2017 AT APPROXIMATELY 3:00 A.M.

4). DECEMBER 05, 2017 AT APPROXIMATELY 3:00 A.M.

IV. STATEMENT OF CLAIM

D. 1). I WAS CHRISTMAS SHOPPING INSIDE OF WALMART WHEN I WAS APPROACHED BY WALMART LOSS PREVENTION EMPLOYEE (JOHN DOE #4) ACCOMPANIED BY TWO HPD OFFICERS (ANDREWS AND JOHN DOE #1). OFFICERS JERKED THE GROCERY CART AWAY FROM ME AND DEMANDED ME TO PLACE MY HANDS ON TOP OF MY HEAD. I COMPLIED AND ANDREWS GRABBED MY HANDS WITH ONE HAND AND BEGAN PULLING MY BELONGINGS OUT OF MY POCKETS WITH HIS OTHER. I ASKED OFFICERS "WHAT WAS GOING ON?" AND I WAS INFORMED I WAS BEING ARRESTED FOR "SHOPLIFTING." I THEN ASKED, "DON'T I HAVE TO STEAL SOMETHING TO BE ARRESTED FOR SHOPLIFTING?" I WAS GIVEN NO REPLY AND IT WAS AT THAT TIME I WAS PLACED INTO HANDCUFFS AND ILLEGALLY ARRESTED. AT NO TIME DID I STEAL ANYTHING FROM WALMART, NOR HAD I LEFT THE STORE OR ATTEMPTED TO LEAVE THE STORE WITHOUT PURCHASING ITEMS INSIDE THE CART. ALL PROPERTY REMOVED FROM MY PERSON WERE MY BELONGINGS.

THIS IS A PENDING CRIMINAL MATTER (47-CR-19-721) SET FOR JURY TRIAL ON SEPTEMBER 13, 2021.

2). MOMENTS LATER, WHILE GOING THROUGH MY CELL PHONE, ANDREWS ASKED "DO YOU MIND ME LOOKING THROUGH YOUR PHONE?" I RESPONDED QUESTIONING "YOU MEAN READ MY TEXT MESSAGES?" THEN ANDREWS STATED "YEAH, SOMETHING LIKE THAT." I REPLIED "I DONT MIND AS LONG AS YOU HAVE A WARRANT." OFFICER ANDREWS LAUGHED. ANDREWS THEN BEGAN TO WALK ME OUT OF THE STORE AND ASKED ABOUT MY VEHICLE AND IF OFFICERS WOULD SEARCH IT. I REPLIED "I DONT MIND THAT EITHER AS LONG AS YOU GET A WARRANT". I THEN ASKED FOR NO MORE QUESTIONING WITHOUT AN ATTORNEY PRESENT.

3). MOMENTS LATER I WAS PLACED INTO THE BACK OF A PATROL CAR. OFFICER ANDREWS CONTACTED K-9 UNIT (OFFICER GLASER) ONLY AFTER ASSUMING THAT CONVERSATIONS IN MY PHONE WERE ABOUT DRUGS. OFFICERS INCIDENT NARRATIVE STATES THE DOG ALERTED ON MY VEHICLE AT WHICH TIME "AGENT DEAN WAS NOTIFIED, RESPONDED, AND OBTAINED A SEARCH WARRANT FOR THE VAN." THE NARRATIVE ALSO STATES, "AFTER THE WARRANT WAS SIGNED WE BEGAN TO LOOK INSIDE THE VAN." ANDREWS, JOHN DOE #1, JOHN DOE #2, JOHN DOE #3, GLASER, AND DEAN CONDUCTED THE SEARCH OF MY VEHICLE. AT THE CONCLUSION OF THE SEARCH I WAS CHARGED WITH P.O.C.S. X3 AND P.O.M. 2ND. THIS IS A PENDING CRIMINAL MATTER (47-CC19-721) SET FOR JURY TRIAL ON SEPTEMBER 13, 2021.

BEFORE HEADING TO JAIL I WAS ASKED TO STEP OUT OF THE PATROL CAR BY AGENT DEAN. AT THIS TIME I WAS SERVED A FAULTY SEARCH WARRANT, NOT SIGNED BY A MAGISTRATE OR JUDGE, BUT BY BLAKE DEAN HIMSELF.

MY VEHICLE AND PROPERTY WERE IMPOUNDED AND NEVER RECOVERED.

4). DURING THE SEARCH OF MY VEHICLE OFFICERS CONFISCATED A LOCKED BLACK SAFE. IGNORING MY REQUEST FOR AN ATTORNEY OFFICER ANDREWS BEGAN TO QUESTION ME ABOUT THE CONTENTS OF THE LOCKED SAFE AND ALSO ASKED ME IF I WOULD OPEN THE SAFE. I REFUSED.

* ALL NAMED DEFENDANTS CONSPIRED TOGETHER AND WORKED IN CONCERT IN THE EVENTS GIVING RISE TO THE CLAIMS WITHIN THIS COMPLAINT.

V. INJURIES

- 1). I WAS ILLEGALLY DETAINED AND ARRESTED. MY PERSONAL PROPERTY WAS REMOVED AND SEIZED FROM MY PERSON AND NEVER RECOVERED. ITEMS OF PERSONAL PROPERTY SEIZED INCLUDED A FITNESS TRACKER, LIGHTER, AND A SET OF TWEEZERS VALUED AT \$130.00. I SUFFER EMOTIONAL DISTRESS, ANXIETY, DEPRESSION, HUMILIATION, AND ANGER AS A RESULT OF MY CONSTITUTIONAL RIGHTS BEING VIOLATED.
- 2). AS A DIRECT RESULT OF THE ILLEGAL SEARCH OF MY CELL PHONE TRANSPRIRED THE CHAIN OF EVENTS LEADING TO THE CALLING OF A K-9 WHICH LED TO A SEARCH WARRANT BEING REQUESTED AND A FRAUDULENT WARRANT BEING ILLEGALLY OBTAINED AND PRODUCED. I SUFFER EMOTIONAL DISTRESS, ANXIETY, DEPRESSION, HUMILIATION, AND ANGER AS A RESULT OF MY CONSTITUTIONAL RIGHTS BEING VIOLATED.
- 3). AS A RESULT OF MY VEHICLE BEING ILLEGALLY SEARCHED MY VEHICLE WAS IMPOUNDED ALONG WITH ALL OF MY FAMILY'S AND MINE PERSONAL PROPERTY CONTAINED THEREIN, NONE OF WHICH WAS EVER RECOVERED. THE VEHICLE, A 2000 CHRYSLER TOWN AND COUNTRY WAS VALUED AT \$6,000.00. PROPERTY INSIDE THE VEHICLE INCLUDED BUT NOT LIMITED TO A BLACK SAFE, STEREO EQUIPMENT, TWO LAPTOPS, CLOTHES, CELL PHONES AND ACCESSORIES, A PAIR OF PRINCESS CUT DIAMOND STUD EARRINGS ALL VALUED AT AN ESTIMATED TOTAL OF \$12,000.00. I ALSO SUFFER EMOTIONAL DISTRESS, ANXIETY, DEPRESSION, HUMILIATION, AND ANGER AS A RESULT OF MY CONSTITUTIONAL RIGHTS BEING VIOLATED.
- 4). I SUFFER EMOTIONAL DISTRESS, ANXIETY, DEPRESSION, HUMILIATION, AND ANGER AS A RESULT OF MY CONSTITUTIONAL RIGHTS BEING VIOLATED.

VI. RELIEF

i). (A) TRIAL BY JURY

(B) WALMART SUPERCENTER LOSS PREVENTION EMPLOYEE JOHN DOE #4
BE TERMINATED FROM HIS POSITION WITH WALMART.

(C) JAMES ANDREWS AND JOHN DOE #1 BE TERMINATED FROM THEIR
POSITION WITH HUNTSVILLE POLICE DEPARTMENT AND BARRED FROM
FUTURE EMPLOYMENT WITH LAW ENFORCEMENT.

(D) ACTUAL DAMAGES OF \$ 130.00

(E) NOMINAL DAMAGES DECIDED BY THE COURT.

(F) PUNITIVE DAMAGES OF \$ 3,000,000.00

2). (A) TRIAL BY JURY

(B) JAMES ANDREWS BE TERMINATED FROM HIS POSITION WITH
HUNTSVILLE POLICE DEPARTMENT AND BARRED FROM FUTURE
EMPLOYMENT WITH LAW ENFORCEMENT.

(C) NOMINAL DAMAGES DECIDED BY THE COURT.

(D) PUNITIVE DAMAGES OF \$ 3,000,000.00

3). (A) TRIAL BY JURY

(B) BLAKE DEAN BE TERMINATED FROM HIS POSITION WITH MADISON COUNTY SHERIFFS DEPARTMENT AND BARRED FROM FUTURE EMPLOYMENT WITH LAW ENFORCEMENT.

(C) ACTUAL DAMAGES \$ 18,000.⁰⁰

(D) NOMINAL DAMAGES DECIDED BY THE COURT

(E) PUNITIVE DAMAGES OF \$ 5,000,000.⁰⁰

(F) BLAKE DEAN BE REFERRED TO THE JUSTICE DEPARTMENT AND STATES ATTORNEY FOR CRIMINAL PROSECUTION.

4). (A) TRIAL BY JURY

(B) JAMES ANDREWS BE TERMINATED FROM HIS POSITION WITH HUNTSVILLE POLICE DEPARTMENT AND BARRED FROM FUTURE EMPLOYMENT WITH LAW ENFORCEMENT.

(C) NOMINAL DAMAGES DECIDED BY THE COURT.

(D) PUNITIVE DAMAGES OF \$ 3,000,000.⁰⁰